

**STATE OF INDIANA**

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PUBLIC NOTICE NO. 11-04-D-PI**

**DATE APPEALS DUE: May 24, 2011**

**LAND APPLICATION PERMIT ISSUED - NEW**

**GUGGISBERG DEUTSCH KASE HAUS**, 11275 West 250 North, Middlebury, IN, Permit No. IN LA 000793. This permit will allow the permittee to land apply wastewater treatment biosolids at agronomic rates to farmland located in ELKHART and LAGRANGE COUNTIES. The biosolids from this facility meet high quality criteria established by state and federal regulations qualifying it for a "nonsite-specific" land application permit. The biosolids will be land applied on qualifying farmland in the designated counties upon receipt of permission of the landowner. Additionally, certain sites are identified in the permit that have been reviewed and pre-approved for use as "site-specific" application sites. The U.S. Environmental Protection Agency (EPA) and the Indiana Department of Environmental Management (IDEM) recognize and encourages the beneficial use of wastewater biosolids through such practices as land application. The permit controls the quality of the biosolids to be applied as well as the yearly and cumulative amount of biosolids that can be land applied to a site. For more specific information concerning the permit, contact Ms. Melissa Lehman, Agronomic Solutions LLC., at (574) 202-2608. This permit is written in accordance with Indiana Administrative Code 327 IAC 6.1.

**Appeal Procedures**

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that you file a Petition for Administrative Review. If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay. The Petition(s) must be submitted to the Office of Environmental Adjudication at the following address by the date indicated above:

Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Avenue, Room N501E  
Indianapolis, Indiana 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 requires that your Petition include:

1. The name and address of the person making the request.
2. The interest of the person making the request.
3. Identification of any persons represented by the person making the request.
4. The reasons, with particularity, for the request.
5. The issues, with particularity, for the request.
6. Identification of the permit terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the Commissioner's action.

Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. Filing of such a document is complete on the earliest of the following dates:

1. The date on which the petition is delivered to the Office of Environmental Adjudication (OEA).
2. The date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or
3. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.

Pursuant to IC 4-21.5-3-17, the Office of Environmental Adjudication will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this decision if you submit a written request to the Office of Environmental Adjudication at the above address. If you do not provide a written request to the Office of Environmental Adjudication, you will no longer be notified of any proceedings pertaining to this decision.

Copies of the issued permit, the permit application, and other related documents are on file and may be inspected at the Indiana Department of Environmental Management, Room 1154, Indiana Government Center North, 100 North Senate, Indianapolis, Indiana, at any time between 8:30 a.m., and 4:00 p.m., Monday through Friday. All these documents may be copied at a cost of 10 cents per page. A copy of the final permit is also on file with the local health department and is available for public review. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.